

REMARKS

Claims 1-7 are pending in this application, of which claims 1 and 4 have been amended. No new claims have been added.

Claim Rejections under 35 USC §103

Claim 6 is rejected under 35 U.S.C. §103(a) as being unpatentable over **Iwamoto (U.S. Patent No. 4,802,739)** in view of **Sawanobori (JP No. 407336610)**.

This rejection is substantially the same as that of the previous Office action. In maintaining and justifying this rejection, the outstanding Office action has specifically stated that:

“In response to applicant's arguments that Sawanobori does not discharge power source line S2 and that Iwamoto only has one boosting circuit, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. *See/n re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).”

The Applicant appreciates that the Office has diligently communicated the basis of its decision. The Applicant also appreciates the citing of *In re Keller*, a CCPA decision from 1981.

However, the Applicant is confused by the citing of *In re Keller*. It is the understanding of the Applicant that section 2143 of MPEP, which is based on *In re Vaeck*, has specifically communicated the standards of establishing a *prima facie case* of obviousness. By citing a much older decision *In re Keller*, which substantively deviates from section 2143 of MPEP, it leaves the

Applicant wondering whether the U.S. Patent Office has officially abandoned section 2143 of MPEP which is based on *In re Vaeck* in favor of *In re Keller*.

Upon review of the most recent edition of section 2143 of MPEP, it is apparent that *In re Vaeck* is still controlling.

Therefore, unless the Office is able to provide any legal authority that section 2143 of MPEP, which is based on *In re Vaeck*, is superseded by *In re Keller*, observance of section 2143 of MPEP instead of *In re Keller* is respectfully requested.

In the outstanding Office action, it has been stated that "Iwamoto is silent with regard to using the power supply circuit with a CCD imager." The Applicant respectfully agrees with the Office assessed differentiation between the claimed invention and Iwamoto. However, that is not the only difference between Iwamoto and the claimed invention.

It should be noted that in Iwamoto, by short-circuiting both ends of the boosting capacitor C2 of the single boosting circuit 1, charges stored in the capacitor are discharged. In contradistinction, in the present invention, the first circuit generates the positive polarity voltage and the second circuit generates the negative polarity voltage. By short-circuiting the positive polarity voltage outputting terminal and the negative polarity voltage outputting terminal, it is possible to efficiently discharge both charges stored in the capacitor of the first circuit and charges stored in the capacitor of the second circuit. Therefore, the present invention is entirely different from Iwamoto.

Furthermore, in Sawanobori, as to the control of voltage for CCD, when the negative value voltage is stopped being supplied, possible deterioration and destruction of the CCD is prevented by discharging the power source line S3 which supplied the negative value voltage; however, no

discharge is performed on the power source line S2 which supplied the positive value voltage. Sawanobori is entirely different from Iwamoto in that Iwamoto includes only the single boosting circuit whereas Sawanobori is having two power source lines thus cannot be combined with Iwamoto.

Section 706.01(j) of the MPEP has specifically stated that:

“To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference must teach or suggest all the claimed limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant’s disclosure. *In re Vaeck*, 947 F.2d 466, 20 USPQ2d 1438 (Fed. Cir. 1991)”

Therefore, it is both a court position and a Patent Office position that to establish a *prima facie* case of obviousness, 1) there **must be** some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; 2) there **must be** a reasonable expectation of success; and 3) the teaching or suggestion to make the claimed combination and the reasonable expectation of success **must both be** found in the prior art, and not based on applicant’s disclosure.

Therefore, should the Office either be unable to identified each and every aspect of the above-mentioned claimed features after taking full consideration of the asserted prior art in a way exactly applied in the outstanding Office action, or the Office recognizes that the rejection simply does not

arise to a level objectively fulfilling all three criteria of establishing a *prima facie* case of obviousness, it is respectfully submitted that the obviousness rejection is defective and allowance of the claimed invention is requested.

Allowable Subject Matter

The indication of allowable subject matter in claim 4 and the allowance of claims 5 and 7-8 are noted with appreciation.

CONCLUSION

In view of the aforementioned amendments and accompanying remarks, claims 1 and 4, as amended, are in condition for allowance, which action, at an early date, is requested.

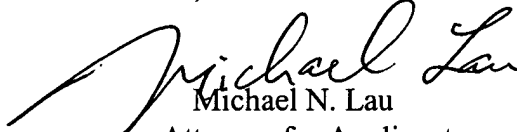
Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "**Version with markings to show changes made.**"

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Enclosures: Version with markings to show changes made

IN THE CLAIMS:

Please amend claims 1 and 4 as follows:

1. (Twice Amended) A power supply circuit, comprising:

a first circuit for generating a positive polarity voltage, said first circuit including a rectifying circuit and a capacitor;

a positive polarity voltage outputting terminal for outputting the positive polarity voltage from said first circuit;

a second circuit for generating a negative polarity voltage;

a negative polarity voltage outputting terminal for outputting the negative polarity voltage from said second circuit;

a ground terminal for providing a reference potential for both of said positive polarity voltage and said negative polarity voltage; and

a short circuit for short-circuiting substantially between said positive polarity voltage outputting terminal and said negative polarity voltage outputting terminal in response to a power-off signal[.];

wherein residual charges of the capacitors pass said short circuit in turning a power off;
and.

wherein said first circuit includes a chopper circuit for generating a low first positive voltage.

4. (Twice Amended) A power supply circuit according to claim 1, wherein [said first circuit includes a chopper circuit for generating a low first positive voltage, and] a fly-back circuit for receiving the first positive voltage from the chopper circuit to generate a high second positive voltage,

said positive polarity voltage outputting terminal includes first and second output terminals for respectively outputting the first positive voltage and the second positive voltage, and further comprising:

a diode connected between said first and second output terminals in a forward direction from said first output terminal to said second output terminal.

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